

Public Law 102-338
102d Congress

An Act

Aug. 11, 1992
[H.R. 4026]

Zuni River
Watershed Act
of 1992.
Conservation.

To formulate a plan for the management of natural and cultural resources on the Zuni Indian Reservation, on the lands of the Ramah Band of the Navajo Tribe of Indians, and the Navajo Nation, and in other areas within the Zuni River watershed and upstream from the Zuni Indian Reservation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Zuni River Watershed Act of 1992".

SEC. 2. FINDINGS.

Congress finds that—

(1) over the past century, extensive damage has occurred in the Zuni River watershed, including—

- (A) severe erosion of agricultural and grazing lands;
- (B) reduced productivity of renewable resources;
- (C) loss of nonrenewable resources; and
- (D) loss of water;

(2) the portion of the Zuni River watershed that is upstream from the Zuni Indian Reservation includes—

- (A) Federal land;
- (B) State land;
- (C) Zuni Indian Trust land;
- (D) Navajo Indian Tribal Trust and fee land;
- (E) Ramah Band of the Navajo Tribe of Indians Trust land;
- (F) individual Indian allotment lands; and
- (G) private land;

(3) the Department of Agriculture, the Bureau of Indian Affairs, the Zuni Indian Tribe, the Ramah Band of the Navajo Tribe of Indians, and the Navajo Nation agree that corrective measures are required to prevent continued degradation of natural and cultural resources throughout the Zuni River watershed;

(4) with the passage of the Zuni Land Conservation Act of 1990 (Public Law 101-486), the Zuni Indian Tribe has the ability to take these corrective measures within the Zuni Indian Reservation;

(5) the implementation of a watershed management plan within the Zuni Indian Reservation will be ineffective without the implementation of a corresponding plan for the management of the portion of the Zuni River watershed that is upstream from the Zuni Indian Reservation;

(6) most of the portion of the Zuni River watershed that is upstream from the Zuni Indian Reservation is within the Cibola National Forest or Indian Trust lands;

(7) the Secretary of Agriculture, acting through the Chief of the Forest Service and the Chief of the Soil Conservation Service, the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, and the Tribes, have the technical expertise to formulate a plan for the management of the portion of the Zuni River watershed that is upstream from the Zuni Indian Reservation on Federal, State, Indian, and private lands;

(8) an effective watershed management plan for the Zuni River watershed requires voluntary cooperation among the—

- (A) Soil Conservation Service;
- (B) Forest Service;
- (C) Bureau of Indian Affairs;
- (D) Zuni Indian Tribe;
- (E) Ramah Band of the Navajo Tribe of Indians;
- (F) Navajo Nation;
- (G) State of New Mexico; and
- (H) private landowners; and

(9) all persons living within the Zuni River watershed will benefit from a cooperative effort to rehabilitate and manage the watershed.

SEC. 3. STUDY, PLAN, AND REPORT.

(a) STUDY AND PLAN.—

(1) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Soil Conservation Service and the Chief of the Forest Service, the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, and the Tribes, shall—

(A) conduct a study of the portion of the Zuni River watershed that is upstream from the Zuni Indian Reservation, as depicted on the map entitled "Zuni River Watershed" which shall be on file and available for public inspection in the—

- (i) New Mexico State Office of the Soil Conservation Service;
- (ii) Albuquerque Area Office of the Bureau of Indian Affairs; and
- (iii) tribal offices; and

(B) prepare a plan for watershed protection and rehabilitation on both public and private lands.

(2) PLAN COMPONENTS.—The plan required by paragraph (1)(B) shall include—

(A) a watershed survey describing current natural and cultural resource conditions;

(B) recommendations for watershed protection and rehabilitation on both public and private lands;

(C) management guidelines for maintaining and improving the natural and cultural resource base on both public and private lands;

(D) a system for monitoring natural and cultural resource conditions that can be coordinated with the system developed by the Zuni Indian Tribe;

(E) proposals for voluntary cooperative programs, that implement and administer the plan required by paragraph (1)(B), among—

- (i) the Department of Agriculture;

- (ii) the Department of the Interior;
 - (iii) the Zuni Indian Tribe;
 - (iv) the Ramah Band of the Navajo Tribe of Indians;
 - (v) the Navajo Nation;
 - (vi) the State of New Mexico;
 - (vii) private landowners within the portion of the Zuni River watershed that is upstream from the Zuni Indian Reservation; and
 - (viii) other public or private agencies;
- (F) a project plan that—
- (i) outlines tasks necessary to implement the plan required by paragraph (1)(B);
 - (ii) recommends completion dates; and
 - (iii) estimates the costs of the tasks; and
- (G) a monitoring plan that—
- (i) outlines tasks for monitoring and maintaining the watershed; and
 - (ii) estimates the annual cost of performing the tasks.

(b) **REPORT.**—Not later than 4 years after the date that funds are made available for the study and the preparation of the plan as required by subsection (a)(1), the Secretary of Agriculture, the Secretary of the Interior, and the Tribes shall submit to the Select Committee on Indian Affairs of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a written report containing—

- (1) the full text of the study and the plan; and
- (2) an executive summary of the study and the plan.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved August 11, 1992.

LEGISLATIVE HISTORY—H.R. 4026:

HOUSE REPORTS: No. 102-726 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 138 (1992):
July 27, considered and passed House.
July 29, considered and passed Senate.